

SPEECH

OF

HON. F. P. STANTON, OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES, FEBRUARY 13, 1850,

Upon the question concerning the admission of California as a State, and the circumstances which led to the formation of the Constitution of California.

Mr. STANTON addressed the House as follows:

Mr. SPEAKER: I presume the motion to print the message on your table will open up the whole question concerning the admission of California as a State, and the circumstances which led to the formation of the constitution which is now presented. With this understanding, sir, I shall enter upon the discussion; and I think I shall not fail to confine myself strictly to the subject thus brought directly before us.

Mr. Speaker, every member of this House, who was here during the last Congress, must have been deeply impressed with the proceedings of those two memorable sessions. Upon some occasions, the excitement growing out of the slavery question was intense; while, at all times, its shadow brooded over the deliberations of the two Houses, like that ominously silent and sultry atmosphere which engenders storms, or betokens some disastrous convulsion of nature.

The condition of things at the present moment is greatly changed—I deplore the necessity which compels me to say—not for the better. While the symptoms exhibited during the last Congress were undoubtedly alarming, the disease itself, however violent and acute, might have yielded to remedies judiciously adopted and firmly administered. But I fear now the disease of the body-politic has become chronic and inveterate. It extends throughout the whole system, and with its subtle poison taints every organ of the public service. Almost one-fourth of the long session has been consumed in the effort to organize this House; and, in every election, from that of Speaker down to that of Door-keeper, this fatal question has entered as a sinister but powerful element. During this long process, the House has been comparatively quiet, and spectators have expressed their amazement, and sometimes their gratification, at the little excitement which has characterized these proceedings. I sincerely wish I could see them in the same light, and with the same complacency. But to me, sir, they present themselves in far more sombre colors. I think I see in them the sallow hue, the listless mood, and the languid action of a patient, thoroughly diseased, and insensible to that almost inevitable stroke of fate which seems to be impending.

At the expiration of the last Congress this question, however embarrassing, was extremely simple. The difficulties surrounding it, though undoubtedly great, were clearly defined and well understood. Territorial governments, with, or

without the exclusion of slavery, was the whole problem. This solved satisfactorily, every danger would have vanished in an hour, and the stability of this Union would have been secured for an indefinite period. But this momentous question, then so simple, has now, by the course of events, and especially by the action of the Executive and his advisers, become greatly complicated. It is no longer a question, involving a single point of constitutional doctrine or of sectional justice, but it has drawn into its vortex numerous weighty questions of constitutional law, of executive authority, of territorial dependency, and of high political expediency; while not a single original feature of the question—not one of its dangers or difficulties—has been removed. The existing Administration is responsible for this perilous change. Acting under the restraints of its position—compelled by the force of the circumstances, or rather I should say, the devices and stratagems which brought it into power—it has been obliged to alter the whole character of the question, in order to save its own reputation in the eyes of the country. Pledged, by its supporters, to both sides of the question in its simple original form, the only salvation of the Administration was in changing the shape of the measure, with the vain hope of subduing its difficulties or hiding them from the eyes of the people. But it will be found, sir, in the investigation of this subject, that this profound expedient has utterly failed, and that it has involved the whole matter in still more inextricable difficulties and perils.

In spite, Mr. Speaker, of the ungenerous attempt of President Taylor to throw the responsibility of the present state of things, or a portion of it, upon the shoulders of his predecessor, it is impossible for any one to mistake the true condition of the great question at the close of Mr. Polk's administration. There stands the admirable letter of Mr. Buchanan—a clear and beautiful summary of the policy of that Cabinet—a pillar of light, worthy to guide the footsteps of patriots, in these dark and perilous times. You see in that document a profound knowledge of the true relations existing between the Territory of California and the States of this Union. You see there no attempt to encourage the people of California to effect a change of those relations. On the contrary, they are exhorted to be patient, to be quiet, and to rely upon the justice and the fostering care of the parental Government. They are told that Congress will eventually give them a territorial

organization; and above all they are warned against the delusive hope of bettering their condition by attempting to anticipate the action of Congress. And in language almost prophetic, they are assured that such a course will be full of peril and trouble. The author of that letter seems to have looked upon the subject with the profound penetration of a great statesman; and to have foreseen the very difficulties which now embarrass us, as the inevitable consequences of the policy which has been adopted. I cannot forego the pleasure of reading those sentences of the letter in which these sentiments are distinctly avowed. Mr. Buchanan says:

The President deeply regrets that Congress did not, at their last session, establish a territorial government for California. It would now be vain to enter into the reasons for this omission. Whatever those may have been, he is firmly convinced that Congress feel a deep interest in the welfare of California and its people, and will, at an early period of the next session, provide for them a territorial government suited to their wants.

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The President urgently advises the people of California to live peaceably and quietly under the existing government. He believes that this will promote their lasting and best interests. If it be not what they could desire, and had a right to expect, they can console themselves with the reflection that it will endure but for a few months. Should they attempt a change, or amend it during this brief period, they most probably could not accomplish their object before the Government established by Congress would go into operation. In the mean time, the country would be agitated, the citizens would be withdrawn from their usual employments, and domestic strife might divide and exasperate the people against each other; and this all to establish a government which, in no conceivable contingency, could endure for a single year. During this brief period it is better to bear the ills they have than to fly to others they know not of.

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But, above all, the Constitution of the United States, the safeguard of all our civil rights, was extended over California on the 30th May, 1848, the day on which our late treaty with Mexico was finally consummated. From that day its inhabitants became entitled to all the blessings and benefits resulting from the best form of civil government ever established amongst men. That they will prove worthy of this inestimable boon, no doubt is entertained.

In these three paragraphs is contained the whole gist of President Polk's policy. It was to await the action of Congress, and it pointed with unmistakable clearness to the establishment of a territorial government without the prohibition of slavery by the Federal power. This was the single great question—surrounded with difficulties it may be—but free from all collateral complications; and the policy of Mr. Buchanan was to march up to this single question—to meet it full in the face, and to settle it upon this original ground, without attempting to escape the responsibility involved in a course so frank and manly. He relied upon the honesty and patriotism of the American people; and, northern man as he was, in that day of faction on the part of some, and faltering on that of others, he staked his political existence on this decisive movement. It is in vain to refer to the opinions or the unauthorized acts of military commanders in that distant Territory. This letter is adopted, in its whole scope, by the Secretary of War under the late Administration, and it is sent as instructions to the commanding officer in California. There, plainly defined, are the metes and bounds—the self-imposed restraints of Executive power, according to the views of the late President.

I repeat, sir, this was a frank and manly policy. It appealed to the patriotism of the whole country, and leaned for support upon the sacred compro-

mises of the Constitution. It sought not, by any subterfuge, to evade the true issue. It did not attempt, by any artifice, to cover up any one of the legitimate difficulties of the subject; nor did it resort to any of the arts of political legerdemain to change the form and appearance of the question—to gild the bitter pill, and to delude the people of the southern States so far as to induce them to swallow the poison.

Such was the position in which Mr. Polk's administration left this question—in this plain and undisguised form the legacy was bequeathed to his successor. But no sooner has General Taylor seized the reins of power than all this is changed. A straightforward policy is no longer possible, because the tortuous road which conducted him to the Presidency, renders it imperative upon him to follow a similar path in all his official progress. Upon every act of the Administration must inevitably be stamped the duplicity and fraud of its origin. In using this language, which may seem to be harsh, I refer rather to General Taylor's supporters than to the General himself, and to the palpably contradictory opinions ascribed to him at the opposite ends of this Confederacy. Out of this indisputable double-dealing arises the absolute necessity of doing what the California message discloses to us has been done by the President and his Cabinet. We might have predicted these measures from the very circumstances I have mentioned, with which they are linked by the indissoluble bond of cause and effect; of motive and purpose.

Thus far, sir, we have the policy of President Polk, and the motives for a change on the part of his successor. Now let us see what that change has been, and what consequences must inevitably ensue if the scheme should be successful.

I will not attempt to repeat what was so pertinently and eloquently said by the gentleman from Virginia, [Mr. SEDDON,] as to the usurpation of power by the Executive—power, both legislative and judicial. I concur in every word of his argument; and I condemn the usurpation as disastrous in the result, if successful, and dangerous as a precedent, under all circumstances. I admire the generosity with which that gentleman treated the Secretary of State as to that part of his letter to Mr. King, in which it is plain the latter had received verbal instructions, the nature of which is but too apparent upon the face of the document which unequivocally refers to them. For the argument of the gentleman from Virginia, confined as it was to the great points of constitutional law, nothing more was necessary than what was expressed in the paper itself. But a more searching investigation—a closer criticism—is demanded by the extraordinary character of these instructions to this extraordinary agent.

I read from Mr. Clayton's letter of instructions to Mr. King:

"You are fully possessed of the President's views, and can with propriety suggest to the people of California the adoption of measures best calculated to give them effect. These measures must, of course, originate solely with themselves. Assure them of the sincere desire of the Executive of the United States to protect and defend them in the formation of any government, republican in its character, hereafter to be submitted to Congress, which shall be the result of their own deliberative choice. But let it be, at the same time, distinctly understood by them, that the plan of such a government must originate with themselves, and without the interference of the Executive."

I challenge any gentleman to show any passage parallel to this in any document emanating from the last Administration. Nothing like it—nothing in the remotest degree akin to it, can be found in any of the masterly productions of Mr. Polk, or those of his able and patriotic Cabinet. I go further, and say, the annals of diplomacy might be ransacked in vain for such an exhibition as is contained in this passage. Remember, sir, these instructions did not concern our relations with any foreign government: they were to be used on our own territory and among our own people. And yet you have in them all the caution, all the secrecy, and all the mystery, which might have been expected in the most artful specimens of international diplomacy. Mr. King “*was fully possessed of the President’s views!*” But what were those views? They are nowhere given in this document. No, sir! It is evident they were made known in the secrecy of cabinet consultations—the words in which they were conveyed swelled not beyond the lofty ceilings of the Executive mansion, and they are buried in the memory of the cabal that concocted them, and of the agent to whom they were communicated. Mr. King was instructed to “*suggest to the people of California the adoption of measures best calculated to give them (the President’s views) effect;*” and immediately upon the heels of this comes that most ludicrous caution, “*these measures must of course originate with themselves!*” And so fearful was Mr. Clayton that “the views of the President,” and “the measures” suggested “to give them effect,” might be suspected by somebody to be really the views and measures of the President, that he repeats the caution over and over again, no less than three times in this single paragraph! He says to the people of California, “you ought to do this;” but mind, “it must originate solely with yourselves;” and mind again, it must “be the result of your own deliberate choice;” and yet again remember, it must be “without the interference of the Executive.”

This last caution is absolutely so ridiculous that it excites contempt as well as amusement. Who is it that warns the people of California against “the interference of the Executive?” Why, sir, it is the Executive himself. And why should the President caution the people of California against his own interference? There can only be one reason; and that is, because he felt conscious that he was interfering, and he sought in this blundering way to conceal it from himself as well as from those to whom this paternal advice was addressed. Sir, there is nothing like this in all history, unless it be in some of those examples of profound legal skill, of which we have instances on record, where a deed of conveyance, fraudulent in its character, attempts to evade the force of the facts by gravely declaring there is no fraud in the transaction.

But, Mr. Speaker, I leave this transparent artifice, which is calculated merely to excite a smile, and I approach other considerations of far deeper import. Can you conceive it possible that the President of the United States, or rather his Cabinet advisers, could have sent this agent to California on this important mission, without having thought of the great question of slavery, and without having given Mr. King the most ample instructions in regard to it? Can you suppose that in the advices he was to bear to the people of that distant Territory, there were none which touched

this all-important subject? It is impossible. When you reflect, sir, that but for this disturbing question there would have been no necessity for such an agent, and no pretext for any action on the part of the Executive, you cannot resist the conviction that “the views of the President,” on this subject, were freely communicated to Mr. King, and by him to the people of California. What were those views? What was Mr. King authorized to say to the people of California, on this vital and all-absorbing question? What did he say to them? Did he tell them, they could not be admitted into this Union as a sovereign State, if their constitution should tolerate slavery? Did he encourage them, in the name and by the authority of the Executive, to seek to conciliate the favor of the northern States, by sacrificing the interests of the southern? Something on this subject, he must have said—something conveying a suggestion of “measures best calculated to give effect” to the President’s views. Nor can we be at a loss, Mr. Speaker, to determine the character of the communication made by this agent to the people of California. Lay aside all newspaper rumors and verbal reports, and look at the unequivocal declarations of Mr. Clayton’s letter, in which, as the gentleman from Virginia [Mr. SEDDON] well remarked, he usurped the judicial power, and proclaimed that the preëxisting laws of Mexico would control the relations of the inhabitants with each other, in spite of the Constitution of the United States! Look again at the proceedings of the convention, and the actual prohibition of slavery incorporated into their constitution, with the Executive recommendation that the constitution be sanctioned, and the State admitted into the Union! Here you have the result of the movement, in which, no doubt, the President’s views have been completely effected. And is it possible to mistake the character of the advice which produced this result? Concealed though it may be from the eye, it is plainly written in these facts. I conceive it to be only a legitimate inference from the premises, that the President’s advisers, in hatching up this notable means of escaping from their awkward position, have deemed it indispensable to secure a constitution excluding slavery, so as to make it acceptable to the preponderating power of the northern States in the two Houses of Congress. Any other scheme would in all probability have failed; and having resolved upon the fatal step, it would have been weakness not to give it every possible chance of success. To have provided for any show of fairness or favor to the southern States would, in the present condition of opinion and power in the North, have resulted in inevitable discomfiture. Hence, in all the calculations of this Cabinet cabal, the propriety of making a slave State on the shores of the Pacific was not for one moment considered.

In making these remarks, sir, I mean no disrespect to Mr. King. I have long enjoyed the acquaintance of that gentleman, and I entertain for him personally the highest esteem. I speak only of his late mission to California in its political bearings; and in that view my judgment does most decidedly condemn alike the Administration and its agent.

Now, Mr. Speaker, let us pause awhile and consider the nature and the magnitude of the crime involved in this proceeding. I say crime,

sir—crime against the Constitution of the land—against the rights of one half of the sovereign States of this Confederacy, and against the integrity and the very existence of the Union itself. The people now in California have been invited by the President to assume the government of a country belonging to the United States—to fix their own boundaries, and usurp the control of a vast and valuable territory—to prescribe the qualifications of voters, and, in short, to do everything necessary to the establishment of an independent State government. These are functions strictly legislative in their character, and never before, in any similar instance, exercised except by the authority and direction of the Government of the United States. What the people of California have done is strictly revolutionary, and the President of the United States has been virtually at the head of this revolution. If there be any validity in these proceedings, California is at this moment an independent State. She may or may not ask to be admitted into the Union. If the revolution be successful, she is the arbiter of her own destiny, with complete power, jurisdiction, and ownership over the territory, which has been thus wrested from the United States.

And for what has the President placed the relations of this Government with California in this perilous position? Only, sir, to relieve his administration from that equally perilous position in which its conflicting supporters had placed it—only, sir, to avoid that rock, on which it was felt the bark of its power must inevitably split. The President has undertaken to cut the Gordian knot of the slave question, with the sword of arbitrary power. Here, in my judgment, lies the most culpable part of this whole plot. What was the Wilmot proviso? It was simply the exclusion of slavery by the power of Congress. But here we have the same thing effected by the trenchant power of the Executive. It matters not what instruments he has employed—it matters not that he has stirred up the people of California, to do this thing in their own name. The usurpation which effects it, and the indirection which attempts to conceal it, only mark the act in still blacker colors for the condemnation of the people.

I have said this question had been greatly complicated by the measures of the Executive. He has himself usurped the judicial power and proclaimed the Wilmot proviso in force in California; and he has again usurped the legislative power to procure its incorporation in the pronunciamiento of a revolutionary movement. And now in this form the measure is presented to us for our acceptance! Not in the simple form of its original existence, but surrounded by a thousand accessory questions of the greatest magnitude and of the most vital importance. There is the question of limits—the question concerning the number, character, and location of the inhabitants—the cognate question of the admission of Deseret and New Mexico, with the unsettled boundary of Texas—and finally; there is the great question of disturbing the present comparative equilibrium of the northern and southern States, and the admission of a principle—the establishment of a precedent—which shrouds the future of one section of this Union in impenetrable darkness. At this delicate and dangerous crisis, while the two sections of the Union are exasperated against each other almost to the point of rup-

ture, all these momentous questions are precipitated upon us. If there had been no war between the North and the South, such as has been waged for some years—if, in a season of profound calm, a territorial government had been established, and the South had enjoyed a fair and equal chance for the establishment of her institutions in California—if, under these circumstances, a State government had been regularly formed with the consent of Congress, the South would, even then, have been reluctant to see the equilibrium of the system disturbed, and her assent would have been attended with the most gloomy forebodings. I do not doubt, however, that she would have submitted to the measure in spite of its danger. But how different is the case which is presented to her now? For years past we have been continually assaulted in the most vulnerable points, and the assailants have been shielded under the shadow of the Union, whose fundamental principles they have outraged. The agitation has been violently maintained ever since the acquisition of California—a measure most baleful to the South has been held in terrorem over the heads of the people—and under the influence of these disastrous circumstances, the people of the southern States and their institutions have been virtually excluded by force from the territory in question. During all this time the South has been protesting against these outrages, and by her firm resistance she has been able to prevent unjust legislation, and I believe she has even succeeded in making a powerful impression in her favor upon a large portion of the northern people. Just at this critical time, the old question, in a more insidious form, is about to be presented to us, and we are gravely asked to accept and submit to it. We are called upon to abandon all precedent—to violate all law—to trample on the Constitution—and to sanction the grossest usurpations in order to bring upon ourselves the very evil against which we have been so long struggling. And to place us under the strongest possible duress, the question is to be presented in the shape of a State asking to be admitted into the Union, when, for the purpose of vindicating our own rights under the Constitution, we must seemingly place ourselves in opposition to the rights of the people of California. I am well aware that those of our citizens who have gone to California are perfectly capable of self-government. A more intelligent and enterprising people is not to be found on the globe. No man would be more willing than I am to see them invested with all the rights of a sovereign State, if the measure had been accomplished fairly, legally, and constitutionally. But this will not embarrass us for a moment. Those people will scarcely expect us to submit to a subversion of the most sacred principles of our fundamental law, in order that they may enjoy the advantages of a violated Constitution. Such a submission on our part, while it would be ruinous to us, would render the Union itself almost valueless to them. A fatal omen would it be to the destinies of this great Confederacy, if this new star should arise from amidst the fragments of a broken Constitution, paled in its ascent by the cloud of Executive usurpation.

Fatal, indeed, would the policy inevitably be, at least to the southern States. In this body, the popular branch of the Government, the North has

an overwhelming majority. Already, notwithstanding the nominal equality of the northern and southern States, the Vice President gives the preponderance in the Senate to the most populous portion of the Confederacy. The border States are trembling in the balance, and, unfortunately, some of their public men have, in my judgment, deserted their highest interests. In this condition of things, the multiplication of non-slaveholding States cannot fail to be disastrous to those of the opposite character. All history, all philosophy, and all experience combine to teach us, that in all interests which are clearly sectional, we shall inevitably be overwhelmed and continually oppressed. We have many such interests. Slavery is by no means the only one, though it is the most vulnerable; and this very circumstance has tended to open our eyes to the extent of our danger from these threatened events. It has been the agitation upon this question—connected as it is with all our interests, material, social, moral, and political—which has led us to look into the operation of the Federal system and to discover how great an instrument of oppression it may be made in the hands of an unscrupulous and fanatical majority. It is delusive to talk about existing constitutional barriers: they have been constantly overleaped or trampled down. I will not undertake to say whether the spirit which has been engendered in the North is indicative of true progress or not. Whatever may be the difference of opinion on that point, the fact is unquestionable, that in the northern States of this Union slavery is looked upon with horror, and there is a determined disposition and a constant effort to overthrow it. With all political power, even under our Constitution, in the hands of a fixed majority controlled by such feelings and designs, it would be more than madness to expect to be fairly dealt with by this Government. By their constitutional action it would be in their power greatly to annoy us; and when, as they have done and would undoubtedly do again, they should overstep the limits of their constitutional authority, we should be absolutely at their mercy, with no power of protection except our own resistance.

I repeat, this would not be the case only in reference to the question of slavery. It would be so in all our distinctive interests, where those of the North and South conflict, as they do in many instances. The disease in our system, which this slavery agitation has revealed to us, lies deeper than the slavery question itself. It is organic in its character. It does not follow, because the disease has attacked the heart, that, when the irregular throbbings of this organ have been allayed, it may not immediately seize upon the lungs, or even the brain. It is true, the measure known as the "Wilmot proviso," seems now to be abandoned. I believe such is now the policy of the northern Whigs; although not one of them, up to this session of Congress, has ever in this House voted against it,—I believe it is their settled policy now to avoid that measure and prevent its passage by every possible means short of a direct vote against it. Where is the honorable gentleman from Pennsylvania, who has the doubtful distinction of having given his name to this notorious measure? I tell him that his hobby is gone. Well did the gentleman from Alabama exclaim, "The [thing] is dead!" Yes, sir, all the

green honors that once clustered around the name of the reputed author of this policy have withered and perished. His faithful allies of the last Congress have deserted him, in the vain effort to save the sinking administration of Gen. Taylor. But the spirit of the measure is still living and vigorous, while its dead and loathsome carcass only has been left to its earliest and best friends. The political jugglers have accomplished the feat of transmigration, and the living principle of the "Wilmot proviso" has been breathed into the body of the California convention.

But, sir, we are not to be deceived by this adroit movement—our eyes are not to be diverted from the fact, that the principle and the power which constitute all the danger are still in effective operation, and seeking to accomplish their fell purpose. You, northern gentlemen, have sported with this question, for political purposes, until you found the dangerous plaything to be a shell, which was about to burst in your hands and spread consternation around. You have therefore rolled it away; but you have only substituted for it a magazine of still more dangerous materials, which by its explosion may eventually shatter the Union.

Under these circumstances, Mr. Speaker, I believe, with the gentleman from Alabama, who commenced his speech yesterday, [Mr. HILLIARD,] that it is the duty of the South to insist upon a settlement of this dangerous question at the present time. I believe she will be utterly untrue to herself if she does not adopt this course in this great emergency. In resisting the admission of California, she will be standing on the cornerstone of the Constitution, as certainly as when resisting the application of the Wilmot proviso. Let her rise in her strength, and rebuke the usurpations of executive authority, at the same time that she is providing for her future peace and security. Upon this vantage ground let her take her stand, and if there be yet remaining any limitations to the power of this Government—if there be yet left in the minds of men any respect for truth and justice—she must and will prevail. In my judgment, it would be a most fatal error in the southern States to permit this great occasion to pass by unimproved. I do not pretend to go into the question as to the proper mode of giving security to the South. I only maintain now that she is entitled to it and must have it—she must have it in her own hands. This vital question, if not determined speedily by the two Houses of Congress, will in all probability be maturely considered by another body, bearing a commission from the people higher even than that of the Congress of the United States.

I speak, sir, for myself and for my constituents as far as I know their views and their interests. I should conceive myself to be utterly false to those who sent me here, if I could hesitate in the present crisis. But what is to be done? Not among the least fatal embarrassments thrown around this subject by the action of the Cabinet, is the difficulty of answering this very question. The pseudo State of California cannot be admitted into the Union—at least, it cannot be with my vote, except upon a full adjustment of all the difficulties. If it shall be rejected, what will be the condition of the people who have been so fatally misled by the President's advisers? Whatever may be the

result, the responsibility will rest upon those alone who have originated this premature and unlawful movement. The State may possibly seek to become independent. It will be difficult to reduce it again to the condition of a mere dependent territory. Nevertheless, I believe, if it were possible to establish promptly a territorial government, all might yet be put right. But such a course is environed with almost insuperable difficulties, and the future alone can reveal the mode by which these obstacles are to be surmounted.

But it may be possible that the dominant majority in the two Houses of Congress will have the strength to secure the admission of California, and that they will blindly exercise the power they possess. I hope I shall never see that fatal day! But should it come in spite of my feeble deprecations, I shall be ready to meet it with whatever sacrifices may be necessary to defend the interests of the people I represent. It is possible the people of the whole South may not immediately understand the full extent of their danger—it is possible the evil day of separation may be postponed yet a while longer. But I solemnly believe that day must come, as the inevitable consequence of the act it is proposed to accomplish. With the success of this measure, there is no prospect of anything but the utter exclusion of the South from every foot of the territory which she has contributed to purchase with her best blood. She must soon be completely surrounded by free States, into which will be gradually infused the hostile feelings, which now so deeply pervade the masses of the northern people. She will be overwhelmed in the Union by a power, which, out of it, she could successfully resist. Are the southern people so blind as not to be able to see this? and how long do you suppose it will require them to learn the extent of their danger?

I am among those, Mr. Speaker, who, for some time past, have looked with gloomy apprehensions upon the fearful struggle which has been exhibited here and throughout the whole country. I am far from being sure that it is possible to save the Union. I imagine I now hear the first low rumblings, and feel the incipient vibrations of the shock which is destined to rend it assunder. My conviction is founded, rather upon the state of feeling which has been unhappily engendered between the two sections, than upon any great event immediately affecting the interests of either. How rudely have the ties of brotherhood been sundered? How deeply has the sense of constant wrong and outrage sunk into the hearts of the southern people! What was at first but the feeling of wounded affection, became afterwards indignation, and finally, continued too long, it has grown to be settled hate. The southern people have little hope from—they have almost no confidence in—the justice and forbearance of their northern brethren. They have seen the most important provisions of the Constitution openly violated by the State authorities of the opposite section, and their dearest interests have been regularly thrown into the arena of politics and made the sport of contending parties. To such an extent has this system of hostility been carried, that, with but few honorable exceptions, it has now become almost impossible for a northern man to acquire the favor of his people, except in proportion to the bitterness of his opposition to southern rights and institutions. In this

state of exasperated feeling, how long can you expect to maintain a union,

“Whose deep foundations lie
In veneration and a people's love?”

If there be any real desire to preserve the Union, you must restore the alienated affections of the people. This can only be done by restoring the Constitution to its pristine purity—by observing its sacred compromises in letter and spirit—and by putting an end, at once and forever, to that continual war of fanaticism which has been waged, for so many years, against the institutions of the South. You cannot altogether repair the injury you have done; but you can cease to injure us further, and you can give us assurances of our future peace. These are the conditions, and the only conditions, of the stability of this Union. If any man understands me to deal in the language of menace, he does me great injustice. As I would scorn the threats of others, I would feel abased to use them myself. But I speak of causes and effects. I look upon the operation of political forces and endeavor to comprehend the resulting tendency of their combined action. And I tell you here to-day, as the solemn conviction of one whose opinion may indeed be worth but little, that the problem is not, on the part of any one, to destroy the Union, but the difficulty is to preserve it by all the power you can exert to effect that object. I tell you, sir, it will require all the wisdom, energy, and patriotism of all your Clays, Casses, Buchanans and Websters, and whatever other great names you can bring to bear, to arrest the downward progress of events. If this can be done with security to the South, upon the principles and to the extent for which I have argued, I shall hail the consummation with profound joy. But if California be forced upon us, without such an adjustment of the questions involved in that measure, I shall be ready to make the final struggle upon this very ground—I shall be prepared to go with the southern people in whatever they may determine—even though it be to abandon the Union, when the rights of the southern States cannot be otherwise protected.

[Mr. STANTON was several times interrupted on points of order (relevancy) made by Mr. PRESTON KING, but there was no action of the House thereon.]

NOTE.

Since the foregoing remarks were made in the House, I have been requested, as an act of justice to Mr. King, to notice the following article in the *Republic* of the 15th of February, instant, which is published by his authority:

We are authorized to say that Mr. King had no secret oral or written instructions from the President, or any one else, on the subject of slavery or on any other subject.

Mr. King had no advices whatever touching this “important subject”—Mr. Stanton’s “impossible” to the contrary notwithstanding.

Mr. King was authorized to say nothing to the people of California on the subject of slavery—and said nothing to them, on behalf of the Government or on his own behalf, on that subject, tending to influence their action in regard to it.

These statements answer all the interrogatories of Mr. Stanton; and if he prints his speech, we request of him, as an act of justice to the Administration and Mr. King, to insert this denial as a note or appendix. We are sure that he does not desire to circulate incorrect assertions in the disguise of interrogatories.

It is certainly due to Mr. King to give him the benefit of his denial as contained in this article.

do not question his sincerity. Nor do I, on the other hand, consider the disclaimer as at all material to the argument made in my speech.

While I must admit that Mr. King had no secret instructions upon the subject of slavery, and conveyed none to the people of California, (since he denies it,) I still cannot the less condemn the political character and consequences of his mission. In his speech at San Francisco, after his arrival there, he is reported to have spoken as follows:

MR. KING'S SPEECH AT SAN FRANCISCO.

"Hon. T. Butler King, after defending Congress for not giving a government to California, appealed to the people of that Territory to settle the question of the Wilmot proviso forever, by forming a State government.

"Said he, we cannot settle it on the other side of the Rocky Mountains. It must be settled here. *We look to you to settle the question by becoming a State.* The people of the

old States ardently desire it. I speak knowingly when I say the Administration desires it; and from extensive intercourse with the members of the last Congress, I am convinced they are more anxious for the question to be settled in this way. You will have no difficulty in being admitted as a State. *I pledge myself to it, and I pledge the Administration,* and I think I may speak equally confidently for the next Congress. Form a State government, send on your Senators and Representatives, and then admission is certain."—*Union*, 30th January, 1850.

I think it was very well known that California could not be admitted as a slave State. It was then a matter of necessity, under existing circumstances, that slavery should be excluded. This must have been known both to the Administration and to Mr. King. I argue, therefore, that knowing these unfavorable circumstances and the inevitable result of proclaiming the validity of the Mexican laws without exception, that result must have been intended and desired.

